

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI**

KEITH LAMAR,

Petitioner,

: Case No. 1:04-cv-541

- vs -

District Judge Thomas M. Rose  
Magistrate Judge Michael R. Merz

ED SHELDON, Warden,  
Ohio State Penitentiary,

:

Respondent.

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**RECOMMITTAL ORDER**

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This capital habeas case is before the Court on the Warden's Appeal (ECF No. 237) of the Magistrate Judge's Decision and Order Granting Petitioner's Motion for Authorization to Appear in State Court (ECF No. 236). A number of filings have occurred since the Appeal was filed (ECF Nos. 238-45).

The District Judge has preliminarily considered the Appeal and believes the issues it raises will be more appropriately resolved after further analysis by the Magistrate Judge. Accordingly, pursuant to Fed. R. Civ. P. 72(b)(3), this matter is hereby returned to the Magistrate Judge with instructions to file a supplemental memorandum analyzing the Appeal and making recommendations based on that analysis.

February 9, 2018

\*s/Thomas M. Rose

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Thomas M. Rose  
United States District Judge